

News Release



Controller of the State of California - Kathleen Connell

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FOR IMMEDIATE RELEASE

CONNELL, MIGDEN AND SUPPORTERS RALLY BEHIND NEW BREAST CANCER TREATMENT BILL

Women Stand Together for Women's Health

SACRAMENTO, April 15 -- "Women with breast cancer should spend their energies fighting the cancer, not insurance companies," said State Controller Kathleen Connell as she gathered today with Assemblywoman Carole Migden (D-San Francisco), breast cancer patients and survivors, and representatives of several advocacy groups. The gathering, which took place this morning at the California Nurses Association office, was a call to action and demonstration of unity in preparation for an afternoon policy hearing for legislation that will increase access of women with breast cancer to bone marrow transplantation therapy and other breast cancer treatments. Among those present, in addition to the California Nurses Association, were representatives of the American Cancer Society, City of Hope, and Save Our Selves -- all of whom support the legislation. Christian Women Against Cancer also supports the bill, but was unable to attend the morning event.

The bill, AB 760, sponsored by Connell and authored by Migden entitles a woman with breast cancer to a prompt, independent review following a denial of a physician-recommended treatment by her insurance company or HMO. "It is outrageous that women lose precious time in their treatment because they have to file lawsuits to gain access to this therapy," said Connell in reference to Autologous Bone Marrow Transplantation (ABMT). "Non-medical personnel should not come between a woman, her doctor and a cure."

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Women Rally for Connell-Migden Breast Cancer Bill/2-2-2-2

ABMT is used only in severe situations. The patient's bone marrow is removed and then she is exposed to extremely high doses of radiation. After the treatment, which would have killed the bone marrow if left in the body, the marrow is re-introduced back into the patient. Currently, even with their doctor's recommendation, many women are denied coverage -- primarily due to its high cost -- and must sue their insurance companies to get the treatment.

"Denying state-of-the-art treatment for breast cancer in such an inequitable manner is clearly unacceptable," said Migden. "My bill guarantees that women who are denied insurance coverage will have an opportunity to appeal an insurance company's decision. This treatment, for many, is a last hope, and the decision to authorize this approach to treating breast cancer should not be delayed. This procedure must be a medical decision based on all information available about the disease, available treatments and most importantly, the individual seeking an ABMT for the treatment of breast cancer."

Breast cancer patient Kathleen Miller of San Francisco spoke eloquently on behalf of the thousands of California women afflicted with the disease: "When you're ill and fighting the disease is when you need help the most. I was completely devastated that an insurance company had more control over my life span than my doctor did."

Echoing Miller's sentiment was Jill Furillo, California Nurses Association Director of Government Relations: "Nurses are the ones at the bedside taking care of the dead and the dying. We've seen how this treatment saves lives."

The two key provisions of the bill are as follows:

- * Any individual with breast cancer, whose physician recommends ABMT or other commonly recognized breast cancer treatment, but whose HMO or health insurer denies coverage for it, would have **prompt access to an independent, expedited review of the coverage decision;**
- * If the independent review panel determines that the patient should receive ABMT, then **the HMO or health insurer must cover it.**

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Women Rally for Connell-Migden Breast Cancer Bill/3-3-3-3

It was Connell who last year led the move to expand ABMT coverage to the more than 400,000 women insured by the California Public Employees Retirement System (CalPERS), which utilizes 22 health plans in its government-sponsored health care program.

"CalPERS' expansion of ABMT was only the first step," said Connell. "With AB 760 we will, in effect, complete our goal of extending coverage of this lifesaving treatment to California women fighting this deadly disease." If passed, AB 760 could become law as soon as January 1, 1998.

Breast cancer is the most commonly occurring cancer in women. It is the second most common cancer killer among women, and the leading cause of death among women 40-49. It is estimated that nearly 20,000 California women will be diagnosed with breast cancer for the first time in 1997. During the same period, approximately 5,000 California women will die of the cancer.

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